

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

This Document Relates to: All Cases

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: Case No. CV 96-4849 (ERK)(MDG)
: (Consolidated with CV 96-5161
: and CV 97-461)

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MEMORANDUM & ORDER

FILED
CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ 01/8 2009 ★

BROOKLYN OFFICE

**MEMORANDUM & ORDER APPROVING SIXTEENTH SET OF PLAUSIBLE
UNDOCUMENTED AWARDS CERTIFIED BY THE CLAIMS RESOLUTION
TRIBUNAL (SWISS DEPOSITED ASSETS PROGRAM) PURSUANT TO ARTICLE
31(2) OF THE RULES GOVERNING THE CLAIMS RESOLUTION PROCESS AND
AUTHORIZING PAYMENT FROM THE SETTLEMENT FUND**

On August 9, 2000, I approved the Settlement Agreement between the parties and expressly retained jurisdiction over “the implementation of the settlement and distributions to plaintiff class members” as well as “the disposition of the settlement fund and escrow fund.”

As set forth in the Special Master's February 15, 2006 Letter and in my Order of February 17, 2006, the Rules Governing the Claims Resolution Process, as amended, (the "Rules") address the CRT's responsibility for making awards with respect to accounts not identified during the investigation of the Independent Committee of Eminent Persons ("ICEP" or "Volcker Committee" Investigation). Article 22(3) of the Rules permits the CRT to "make an Award in a case in which the Claimant plausibly establishes a right to an Account that falls within the CRT's jurisdiction but which, for whatever reasons, was not identified during the ICEP Investigation and therefore cannot be subject to Matching and/or Research."

By letter dated July 27, 2009, the Special Master has submitted for my approval a sixteenth group of Plausible Undocumented Awards, consisting of 37 proposed awards recommended for payment by the Swiss Deposited Assets Program (SDAP) of the CRT. For all of the reasons set forth in the Special Master's February 15, 2006 and July 27, 2009 Letters and in my Order of February 17, 2006, it is hereby

ORDERED that the attached 37 Plausible Undocumented Awards are hereby approved for payment pursuant to Article 31(2) of the Rules. It is further

ORDERED that for the payment of these 37 Plausible Undocumented Awards certified by the CRT through its SDAP program and approved by the Court, the Signatories of the Settlement Fund are hereby directed to transfer immediately US\$ 185,000.00 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account. It is further

ORDERED that the CRT and/or SDAP shall provide the Court with the name and address of every class member receiving an Award, which information shall be filed with the Court under seal.

I will issue additional orders approving additional Awards certified by the CRT and/or SDAP and transferring further sums from the Settlement Fund as the awards are certified to the Court.

Dated: Brooklyn, New York
July 29, 2009

SO ORDERED:

s/Edward R. Korman

Edward R. Korman
United States District Judge